IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29016 of 2008
SHEOBODHAN MISTRI …. PETITIONER
Versus
THE STATE OF BIHAR ….. OPP. PARTY
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4. 3..12.2008 Heard Sri Ranjeet Kumar, Advocate for the petitioner and Sri D. Mehta, APP for the State.

The deity of the temple along with some clothes were found missing. The villagers of the village searched the house of the present petitioner and the clothes were recovered, the deity, which was of marble, could not be recovered. The petitioner and his father were made accused. The father has been admitted to bail. As regards the present petitioner the villagers were of the view and that appears confirmed that it was this petitioner, who had committed the theft.

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Considering the fact that the theft was committed in a temple of the properties of deity, which could be generally gifts of the deity, I am not inclined to direct the release of the petitioner. The petition is dismissed.

DKS/ **(Dharnidhar Jha, J.)**